

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 22-1056

September Term, 2022

EPA-87FR72989

EPA-HQ-OLEM-2021-0587-0023

EPA-HQ-OLEM-2021-0590-0002

EPA-HQ-OLEM-2021-0593-0002

EPA-HQ-OLEM-2021-0595-0002

Filed On: June 7, 2023

Electric Energy, Inc., et al.,

Petitioners

v.

Environmental Protection Agency and
Michael S. Regan, Administrator, United
States Environmental Protection Agency,

Respondents

State of Texas, et al.,
Intervenors

Consolidated with 22-1058

No. 23-1035

EPA-87FR72989

Electric Energy, Inc., et al.,

Petitioners

v.

Environmental Protection Agency and
Michael S. Regan, Administrator, United
States Environmental Protection Agency,

Respondents

Sierra Club,
Intervenor

Consolidated with 23-1036, 23-1037, 23-1038

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

BEFORE: Henderson, Walker, and Garcia, Circuit Judges

O R D E R

Upon consideration of the motion to hold in abeyance No. 23-1035, et al., the response thereto, and the replies; and the motion to consolidate No. 22-1056, et al., and No. 23-1035, et al., the responses thereto, and the reply, it is

ORDERED that the motions be denied. The Clerk is directed to schedule No. 22-1056, et al., and No. 23-1035, et al., for oral argument on the same day before the same panel. It is

FURTHER ORDERED, on the court's own motion, that the parties submit, within 30 days of the date of this order, a proposed format and schedule for the briefing of No. 23-1035, et al. The parties are strongly urged to submit a joint proposal and are reminded that the court looks with extreme disfavor on repetitious submissions and will, where appropriate, require a joint brief of aligned parties with total words not to exceed the standard allotment of a single brief. Whether the parties are aligned or have disparate interests, they must provide *detailed* justifications for any request to file separate briefs or to exceed in the aggregate the standard word allotment. Requests to exceed the standard word allotment must specify the word allotment necessary for each issue. It is

FURTHER ORDERED, on the court's own motion, that the parties submit, within 30 days of the date of this order, a proposed schedule for the remainder of briefing in No. 22-1056, et al.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Tatiana Magruder
Deputy Clerk